

House File 2526

H-8614

1 Amend the Senate amendment, H-8568, to House File  
2 2526, as amended, passed, and reprinted by the House,  
3 as follows:

4 1. Page 3, lines 11 and 12, by striking <low-income  
5 Iowans> and inserting <persons who are eligible for the  
6 federal low-income home energy assistance program and  
7 other low-income Iowans and of working with community  
8 action programs and other partners>

9 2. Page 7, after line 32 by inserting:

10 <\_\_\_. Page 113, after line 17 by inserting:

11 <Sec. \_\_\_. **NEW SECTION. 216A.105 Deliverable**  
12 **fuels — mandatory delivery — penalties and remedies.**

13 1. A deliverable fuel vendor engaged in the  
14 business of providing deliverable fuel to customers in  
15 this state shall not withhold the sale or delivery of  
16 deliverable fuel to a customer from November 1 through  
17 April 1 annually if either of the following apply:

18 a. The customer is certified as eligible for the  
19 federal low-income home energy assistance program.

20 b. The customer is certified as eligible for the  
21 federal low-income home energy assistance program, has  
22 received the maximum amount of the annual assistance  
23 pursuant to the program, and makes a prepaid cash  
24 payment in an amount corresponding to the vendor's  
25 stated cash price of that day for two hundred gallons  
26 of deliverable fuel.

27 2. In the event that an unpaid balance is owed  
28 by a customer who is certified as eligible for the  
29 federal low-income home energy assistance program, the  
30 division may offer assistance in facilitating a payment  
31 arrangement.

32 3. a. A customer shall be responsible for the  
33 reasonable cost of system safety checks conducted  
34 by a deliverable fuel vendor, unless the customer  
35 is certified as eligible for the federal low-income  
36 home energy assistance program and the cost is paid  
37 for with program funds. System safety check payments  
38 shall be in addition to, and shall not reduce, the  
39 cash payment otherwise available for deliverable fuel  
40 sale or delivery pursuant to subsection 1, paragraph  
41 "b". A deliverable fuel vendor of propane conducting a  
42 system safety check shall inform customers certified  
43 as eligible for the low-income home energy assistance  
44 program of the existence of programs and projects  
45 developed by the Iowa propane education and research  
46 council to provide assistance to persons certified as  
47 eligible for the program, if applicable based upon the  
48 results of the safety check. A deliverable fuel vendor  
49 shall not be required to make or complete a delivery  
50 of deliverable fuel if a system safety check reveals

1 mechanical problems or defects with the system which  
2 constitute a safety hazard or concern.  
3     *b.* A customer shall be responsible for the  
4 reasonable cost of delivering the deliverable fuel to  
5 the customer, as determined by the deliverable fuel  
6 vendor, unless the customer is certified as eligible  
7 for the federal low-income home energy assistance  
8 program and the cost is paid for with program funds.  
9 Delivery fees or charges shall be in addition to, and  
10 shall not reduce, the cash payment otherwise available  
11 for the deliverable fuel sale or delivery pursuant to  
12 subsection 1, paragraph "b".  
13     4. A violation of this section is an unlawful  
14 practice pursuant to section 714.16.  
15     5. For the purposes of this section, unless the  
16 context otherwise requires:  
17     *a.* "Customer" means an existing customer of a  
18 deliverable fuel vendor or a prospective customer who  
19 is certified as eligible for the federal low-income  
20 home energy assistance program and submits an  
21 application or otherwise applies for the purchase or  
22 delivery of deliverable fuel from a deliverable fuel  
23 vendor serving the general geographic area or vicinity  
24 where the fuel will be delivered.  
25     *b.* "Deliverable fuel" means propane or any other  
26 heating fuel sold or delivered in this state for home  
27 heating purposes, other than electricity or natural  
28 gas sold by a public utility furnishing electricity or  
29 natural gas to the public for consumption pursuant to  
30 chapter 476.  
31     *c.* "Deliverable fuel vendor" means a retail propane  
32 marketer or a retail dispenser or marketer of a  
33 deliverable fuel other than propane for home heating  
34 purposes.  
35     *d.* "Propane" and "retail propane marketer" mean the  
36 same as defined in section 101C.2.>>  
37     3. By renumbering as necessary.

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SMITH of Marshall